

AMENDED IN ASSEMBLY APRIL 12, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 2900

Introduced by Committee on Jobs, Economic Development, and the Economy (Assembly Members Eduardo Garcia (Chair), Brough, Brown, Chau, Chu, Gipson, Irwin, and Mathis)

March 3, 2016

An act to add Chapter 8 (commencing with Section 7400) to Part 1 of Division 2 of the Public Contract Code, relating to economic development.

LEGISLATIVE COUNSEL'S DIGEST

AB 2900, as amended, Committee on Jobs, Economic Development, and the Economy. Small business technical assistance centers.

Existing law, the Small Business Procurement and Contract Act, requires the Director of General Services and other state agencies that enter into contracts for the provision of goods, services, and information technology and for the construction of state facilities to establish goals for the participation of small businesses in these contracts, to provide for small business preference in the award of these contracts, to give special consideration and special assistance to small businesses, and, whenever possible, to make awards to small businesses, as specified.

This bill would require an awarding department, as defined, to report to the Legislature by a specified date following any year that state funds are awarded to a federal small business technical assistance center, as defined. The bill would require a federal small business technical assistance center, as a condition of receiving state funds, to report certain information to the awarding department, including, but not limited to, the number of businesses assisted.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Chapter 8 (commencing with Section 7400) is
2 added to Part 1 of Division 2 of the Public Contract Code, to read:
3
4 CHAPTER 8. SMALL BUSINESS TECHNICAL ASSISTANCE CENTERS
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6 7400. (a) ~~On or before September 30~~ *Beginning on September*
7 *30, 2018, and* following any year that state funds are awarded by
8 *a state department* to a federal small business technical assistance
9 center, the awarding department shall provide a report to the
10 Legislature that includes, at a minimum:
11 (1) The purpose of the contract and contract metrics.
12 (2) The amount of state funds awarded and expended during
13 the report year.
14 (3) The information required by subdivision (c).
15 (b) The information in the report to the Legislature described
16 in paragraph (3) of subdivision (a) shall be based on information
17 provided by the federal small business development center pursuant
18 to subdivision (c).
19 (c) As a condition of being awarded state funds, a federal small
20 business technical assistance center shall report to the awarding
21 department all of the following:
22 (1) The amount of federal funds drawn down as a result of
23 funding through the state contract.
24 (2) The number of businesses assisted.
25 (3) The industry sectors of the businesses ~~assisted~~ *assisted, as*
26 *reported by the businesses.*
27 (4) ~~The county~~ *city, county, and* small business technical
28 assistance center jurisdiction in which the businesses are located.
29 *If the population of the county is less than 250,000, only the name*
30 *of the county is required to be reported.*
31 (5) The number of total employees employed by those
32 businesses at the time those businesses were assisted based on the
33 following categories: no employees, five or less employees, 20 or
34 less employees, under 50 employees, under 100 employees, and
35 under 500 ~~employees~~ *employees, as reported by the businesses.*

1 (6) The number of jobs ~~created~~; *created, as reported by the*
2 *businesses.*

3 (7) The number of jobs ~~retained~~; *retained, as reported by the*
4 *businesses.*

5 (8) ~~The estimated amount of state tax dollars generated from~~
6 ~~those businesses during the report year.~~

7 (9) ~~The estimated amount of increase in sales reported by~~
8 ~~businesses as a result of the assistance in the report year.~~

9 (10) ~~The amount of capital infusion, in both debt and equity,~~
10 ~~obtained by assisted businesses.~~

11 (11) ~~The total amount of federal funds allocated to the region~~
12 ~~during the reporting period.~~

13 (8) *Other program outcomes related to the purpose of the*
14 *program and contract metrics.*

15 (d) For the purposes of this section, the following terms shall
16 have the following meanings:

17 (1) An “awarding department” means a department, board,
18 agency, or authority of the state, or an officer, agent, or other
19 authorized representative of such a state entity awarding a contract
20 for services, including technical assistance to small businesses.

21 (2) A “federal small business technical assistance center” means
22 a Small Business Development Center, a Women’s Business
23 Center, a Veteran Business Outreach Center, a Service Corps of
24 Retired Executives (SCORE) center, a Hollings Manufacturing
25 Extension Partnership center, or a Procurement Technical
26 Assistance Center operating in California under a federal contract.

27 (3) A “*Hollings Manufacturing Extension Partnership Center*”
28 *means the two California contractors recognized by the federal*
29 *National Institute of Standards and Technology pursuant to the*
30 *Omnibus Trade and Competitiveness Act of 1988 where small*
31 *manufacturers can obtain information and assistance on new*
32 *technology acceleration, supply chain management, lean*
33 *processing, export development, sustainable manufacturing*
34 *practices, and other issues related to innovation.*

35 (4) A “*Procurement Technical Assistance Center*” *means the*
36 *entity and individual, physical location, recognized by the United*
37 *States Department of Defense where a small business owner can*
38 *receive free training on a variety of state and federal procurement*
39 *issues, that is operated by the Department of Defense pursuant to*

1 Chapter 142 (commencing with Section 2411) of Part IV of Subtitle
2 A of Title 10 of the United States Code.

3 (5) A “Service Corps of Retired Executives (SCORE) center”
4 means the entity and individual, physical location, recognized by
5 the federal Small Business Administration where a small business
6 owner or an aspiring entrepreneur can receive free mentoring and
7 attend workshops on a variety of topics including starting,
8 operating, and expanding a small business, that is operated by the
9 Small Business Administration pursuant to Section 637 of Title 15
10 of the United States Code.

11 (6) A “Small Business Development Center” means the entity
12 and individual, physical location, recognized by the federal Small
13 Business Administration where a small business owner or an
14 aspiring entrepreneur can receive free one-on-one consulting and
15 low at-cost training on a variety of topics including starting,
16 operating, and expanding a small business, that is operated by the
17 Small Business Administration and is authorized by “The Small
18 Business Development Center Act of 1980” (Public Law 96-302).

19 (7) A “Veteran Business Outreach Center” means the entity
20 and individual, physical location, recognized by the federal Small
21 Business Administration where a small business veteran owner or
22 an aspiring veteran entrepreneur can receive free one-on-one
23 consulting and low at-cost training on a variety of topics including
24 starting, operating, and expanding a small business, that is
25 operated by the Small Business Administration pursuant to Section
26 657b of Title 15 of the United States Code.

27 (8) A “Women’s Business Center” means the entity and
28 individual, physical location, recognized by the federal Small
29 Business Administration where a small business owner or an
30 aspiring entrepreneur can receive free one-on-one consulting and
31 low at-cost training on a variety of topics including starting,
32 operating, and expanding a small business, that is operated by the
33 Small Business Administration and is authorized by the “Women’s
34 Business Ownership Act of 1988” (Public Law 100-533).

35 (e) The report to the Legislature, required pursuant to
36 subdivision (a), shall be submitted in compliance with Section
37 9795 of the Government Code, and shall be posted on the Internet
38 Web site of the awarding department.

39 ~~(f) This chapter shall become inoperative on January 1, 2020,~~
40 ~~pursuant to Section 10231.5 of the Government Code.~~

- 1 (f) *To the extent that any provision of this chapter conflicts with*
2 *a federal regulation or law, the provision shall be inoperable.*
3 (g) *As an alternative to submitting the information pursuant to*
4 *subdivision (e), an awarding department may include the same*
5 *information in another annual report of the awarding department*
6 *and, in doing so, the report date in subdivision (a) may be modified*
7 *up to three months.*
8 (h) *Notwithstanding Section 10231.5 of the Government Code,*
9 *this chapter shall become inoperative on January 1, 2022.*

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